

JOE WARDY  
MAYOR



**CITY COUNCIL**

SUSAN AUSTIN  
DISTRICT NO. 1

ROBERT A. CUSHING, JR.  
DISTRICT NO. 2

JOSE ALEXANDRO LOZANO  
DISTRICT NO. 3

JOHN F. COOK  
DISTRICT NO. 4

VACANT  
DISTRICT NO. 5

PAUL J. ESCOBAR  
DISTRICT NO. 6

VIVIAN ROJAS  
DISTRICT NO. 7

ANTHONY W. COBOS  
DISTRICT NO. 8

**PROPOSED AGENDA FOR  
REGULAR COUNCIL MEETING, COUNCIL CHAMBERS  
SEPTEMBER 28, 2004  
9:00 A.M.**

**ROLL CALL**

Invocation – Pastor Robert D. Hooks  
Pledge of Allegiance

**REGULAR AGENDA**

1. Discussion and action on the flooding problems that 50-60 businesses located at the intersection of McRae and Carnegie have continued to suffer over the years. Requests for flood control have been made to the City over the past 7 years and have not been addressed to date. Our taxes are going up as high as the water that is flooding our businesses when it rains. [Ali Bourselan and Robert Maupin]
2. Discussion and action on the proper posting of agendas and other information required by Open Meetings Act. [Matthew Carroll]
3. Discussion and Action on revising the August 31, 2004, Resolution establishing a six person ad hoc committee on (what is commonly referred to as) Arroyo Preservation. (Suggested changes for discussion and action are attached.) [Richard Schechter]
4. Discussion and action on requesting permission to close Main, Kansas, and Mills Streets for a special ceremony which includes hanging a giant yellow ribbon from the Wells Fargo Bank to support the troops in Iraq and their families. [Iris Williams]

**MAYOR'S PROCLAMATIONS**

1. **BI-NATIONAL PROMISE TO STAY DRUG-FREE MONTH**
2. **EL PASO DEAF AWARENESS WEEK**

**PRESENTATION**

Presentation by Biggs Airfield Army's Sergeant Major Academy Sergeant Donnie E. Webb on Hispanic Heritage Day on September 22, 2004. The purpose of this special observation is to introduce the Rich Heritage of the El Paso Area and the Hispanic Community to more than 500 senior soldiers enlisted in the Army's Sergeant Academy who come from various parts of the United States. [Representative Jose Alexandro Lozano, (915) 541-4515]

## NOTICE TO THE PUBLIC

All matters listed under the CONSENT AGENDA will be considered by City Council to be routine and will be enacted by one motion unless separate discussion is requested by Council Members or persons in the audience. When the vote has been taken, if an item has not been called out for separate discussion, the item has been approved. Council may, however, reconsider any item at any time during the meeting.

## CONSENT AGENDA

- 5. APPROVAL OF MINUTES:** [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

Approval of Minutes for Regular City Council Meeting of September 21, 2004.

- 6. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:**

- 7. RESOLUTIONS:**

**7A.** That the Mayor be authorized to sign a Fifth Amendment to Food and Beverage Concession Agreement between the City of El Paso ("Lessor"), and CA One Services, Inc. ("Concessionaire"), to increase the size of the Permanent Leased Premises at the El Paso International Airport to allow for the operation of a combination Ice Cream Shop and Stahmann Farm's Nut Shop in La Placita Shopping Mall. **(District 3)** [Airport, Patrick T. Abeln, (915) 780-4724]

**7B.** That the Mayor be authorized to sign the following contracts on behalf of the Arts and Culture Department, to be funded through the FY2005 Direct Funding Program of the Arts and Culture Department, as recommended by the Arts and Culture Department Advisory Board and Staff. Funds will be provided from the Arts and Culture Department (ACD) and the Texas Commission on the Arts (TCA). **(All Districts)** [Arts and Culture, Judy Emmons, (915) 541-4280]

	<b>ACD</b>	<b>TCA</b>	<b>TOTAL</b>
El Paso Opera	\$10,353	\$2,573	
	\$12,926		
El Paso Pro-Musica	\$14,562	\$3,461	
	\$18,023		
El Paso Symphony Orchestra	\$10,591	\$2,632	
	\$13,223		
Aardvark Theatre	\$5,117	\$0	\$5,117
Community Empowerment Through Education/ Border Senses Intergenerational Art Development Program	\$4,760	\$0	\$4,760
Bridge Center for Contemporary Art/ Chamizal Independent Film Festival	\$5,176	\$0	\$5,176
Chamizal National Memorial/Siglo de Oro	\$5,176	\$0	\$5,176
Chamizal National Memorial/Festival	\$0	\$3,499	\$3,499
Creative Kids	\$7,587	\$2,177	\$9,764
Theatre, Inc./Danzas Españolas			
Una Noche en España	\$2,070	\$0	\$2,070
El Paso Association for the Performing Arts	\$5,295	\$0	\$5,295

El Paso Community College			
Arts and Communication Division -			
Spring Arts Festival	\$4,331	\$1,227	\$5,558
El Paso Friends of Jazz Society	\$1,876	\$508	\$2,384
El Paso Playhouse Kids-n-Company	\$5,117	\$0	\$5,117
El Paso Sungold Sweet Adelines	\$1,705	\$0	\$1,705
El Paso Wind Symphony	\$9,207	\$0	\$9,207
Gilbert & Sullivan Company of El Paso	\$2,471	\$868	\$3,339
International Hispanic Cultural Institute/			
El Paso Latino Arts Festival	\$9,207	\$3,461	
	\$12,668		
Project Change/			
Victory Warriors Drill Academy	\$4,938	\$0	\$4,938
Project Vida Arts Program	\$5,057	\$754	\$5,811
Sun City Chorale/El Paso Chorale	\$5,295	\$2,603	\$7,898
Showtime El Paso	\$5,176	\$0	\$5,176
Theatre, Inc.	\$9,515	\$3,577	
	\$13,092		
UTEP/Art Department Visiting Artists and			
Exhibition Series	\$5,236	\$2,603	\$7,839
UTEP/Language and Linguistics Department			
10 <sup>th</sup> Contemporary Mexican Literature			
Conference	\$4,776	\$2,543	\$7,319
UTEP/Union Programs Office-Wednesday			
Music Café	\$5,057	\$2,514	\$7,571
<b>TOTALS:</b>	<b>\$149,651</b>	<b>\$35,000</b>	<b>\$184,651</b>

- 7C.** That the Mayor be authorized to sign the following Agreement for the following artist to be accepted as part of the FY 2005 Arts in Education Program of the Arts and Culture Department as recommended by the Arts and Culture Department's Advisory Board and Staff: **(All Districts)**  
[Quality of Life Services, Deborah G. Hamlyn, (915) 541-4643]

**1. Carmel Fenter**

- 7D.** That the Mayor be authorized to sign the following contracts on behalf of the Arts and Culture Department for the FY 2005 Dia De Los Muertos Festival to be held at the El Paso Convention and Visitors Bureau Plaza, on Saturday, October, 30, 2004. [Quality of Life Services, Deborah G. Hamlyn, (915) 541-4643]

1. Jena Camp; cost of \$150
2. Nancy Green; cost of \$150
3. Lorenzo Guel; cost of \$150
4. Armin Harrison; cost of \$100
5. Edward Holland; cost of \$100
6. Mahrla Manning; cost of \$100
7. Valta Leticia Ortega; cost of \$500
8. Ricardo Paz; cost of \$150
9. Thelma Rodriguez-Wood; cost of \$100

- 7E.** That the Mayor, on behalf of the City of El Paso, be authorized to sign the attached Release of Lien on the property (Legal description on file in the City Clerk's Office) for consideration paid to the City in full satisfaction of amount owed pursuant to this condemnation lien: **(District 8)**

	<u>Lien Amount</u>	<u>Interest</u>	<u>Total Paid</u>
59 North Walnut Street	\$1,973.17	\$476.83	\$2,450.00

[Building Permits & Inspections, Tom Maguire, (915) 541-4588]

- 7F.** Placing a condemnation lien on the following property (legal description on file with the City Clerk) and in the following amount for work performed by the City pursuant to Section 18.52.040 and 18.52.080 (Unsafe Structures and Conditions) of the El Paso Municipal Code:

4007 Tyler Avenue                      \$5,931.47                      Carmen Mendoza  
**(District 2)** [Building Permits & Inspections, Tom Maguire, (915) 541-4588]

- 7G.** That the Mayor be authorized to sign, on behalf of the City, a Contract of Sale between the CITY OF EL PASO and ANNA CECILIA BARRAGAN, ALFRED JACQUES, RICHARD Z. ARMIJO and VIRGINIA ORALIA REYNA for the purchase of property described as

Lots 24 through 28, Block 1, VISTA COMMERCIAL PARK, an addition to the City of El Paso, El Paso County, Texas,

to be used for construction of new Fire Station No. 35. **(District 6)**  
 [Building and Planning Services, Patricia D. Adauto, (915) 541-4853]

- 7H.** That the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Twelve Thousand One Hundred And No/100 Dollars (\$12,100.00, \$5,675.00-Loan \$6,475.00-Grant), against the following described real property:

Lot 1, Block 4, Hidden Valley Unit One, an Addition to the City of El Paso, El Paso County, Texas; according to the map thereof on file in Book 23, Page 3, Plat Records of El Paso County, Texas; known and numbered as 7156 Pear Tree

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City. **(District 3)**

[Community and Human Development, Charles Ruiz, (915) 541-4221]

- 7I.** That the Mayor or City Manager is authorized to sign a Business Account Application, as amended, and Client Agreement, as amended, with Morgan Stanley, and to execute and deliver such additional documents as may be necessary to accomplish the purpose contemplated by this Resolution.

[Comptroller, Carmen Arrieta-Candelaria, (915) 541-4239]

- 7J.** That the Mayor be authorized to sign a contract renewal for the lease of the second floor at the Medical Examiner's Office with the Health District.  
[El Paso City-County Health and Environmental District, Dr. Jorge C. Magaña, (915) 771-5702]
- 7K.** That the El Paso Museum of Art be authorized to serve wine at One Arts Festival Plaza at the reception for Educator Evening, October 7, 2004, 6:00 p.m. - 8:00 p.m. [El Paso Museum of Art, Amy Reed, (915) 532-1707]
- 7L.** That the El Paso Museum of Art be authorized to serve wine at One Arts Festival Plaza at the John Spike Lecture and Reception on the evening of October 11, 2004. [El Paso Museum of Art, Chris Grijalva-Garcia, (915) 532-1707]
- 7M.** That the City Council approve a Letter of Engagement between the City of El Paso and Norman J. Gordon, Attorney at Law, Mounce, Green, Myers, Safi & Galatzan, A Professional Corporation, to consult with the City on all aspects relating to the matter of the PETITION OF EL PASO ELECTRIC COMPANY TO RECONCILE FUEL COSTS, PUBLIC UTILITY COMMISSION DOCKET NO. 30143, SOAH DOCKET NO. 473-05-0013.  
[Financial and Administrative Services, William Chapman, (915) 541-4011]
- 7N.** That the City Attorney's Office is authorized to file a Motion to Intervene in Public Utility Commission of Texas proceeding styled *PETITION OF EL PASO ELECTRIC COMPANY TO RECONCILE FUEL COSTS, PUBLIC UTILITY COMMISSION DOCKET NO. 30143, SOAH DOCKET NO. 473-05-0013*.  
[Financial and Administrative Services, William Chapman, (915) 541-4011]
- 7O.** That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **PAUL BACA**, to assist the Information Technology Department as a Programmer Analyst at an hourly rate of \$19.95 for 10 hours per week. The term of the contract shall be for the period of September 29, 2004 through February 28, 2005. [Information Technology Department, Tony Montoya, (915) 541-4288]
- 7P.** That the Mayor be authorized to sign an Interlocal Governmental Agreement by and between the **CITY OF EL PASO** and **THE UNIVERSITY OF TEXAS AT EL PASO**, political subdivision of the State of Texas, to allow for sharing of the City's 800 mhz Trunking simulcast radio system which is designed for delivery of the entry level data radio application, text messenger, and which provides for a data link for Emergency Service Agencies and personnel to local, state, and national databases. **(All Districts)**  
[Information Technology Department, Tony Montoya, (915) 541-4288]
- 7Q.** That the Library Director be authorized to sign an Exhibit Contract with Fred Morales covering an exhibit of photos and postcards entitled "History of Old Bridges of El Paso" at the Cielo Vista Library Branch of the El Paso Public Library System for the period of October 1 through 30, 2004. This exhibition is at no cost to the City. **(District 5)** [Library, Carol Brey-Casiano, (915) 543-5406]

- 7R.** That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **JIM MARTINEZ**, for consulting services during the transition period for the new City Manager, at a weekly rate of \$2,956.73. The term of the contract shall be from the period of September 28, 2004 through October 5, 2004 with the City's option to extend for one-week if needed.  
[Mayor's Office, Adrian Ocegueda, (915) 541-4145]
- 7S.** That the Mayor be authorized to sign an Interlocal Agreement by and between the City of El Paso, Texas ("City"), acting in its capacity as the fiscal agent to the Metropolitan Planning Organization for the El Paso Urban Transportation Study Area ("MPO"), and the University of Texas at El Paso ("UTEP"), wherein UTEP will provide to the MPO transportation modeling services pursuant to the Agreement, and as required by the Unified Planning Work Program, subject to Civil Service Commission approval. The contract period is from September 30, 2004 through September 30, 2005 at a total contract cost not to exceed \$149,446.00. No City funds will be used, only Federal and State funding.  
[Metropolitan Planning Organization, Roy Gilyard, (915) 591-9735]
- 7T.** That the Mayor be authorized to execute the following **INDEPENDENT CONTRACTOR** contracts on behalf of the **PARKS AND RECREATION DEPARTMENT**. Funding for these contracts is in fiscal year 2004/2005 appropriations to be approved by the City Council.  
[Parks & Recreation, Norman Merrifield, (915) 541-4331]

**ARMIJO RECREATION CENTER**

**DEPARTMENT ID: 51510065, ACCOUNT 502214**

- |    |              |   |
|----|--------------|---|
| 1. | CONTRACTOR:  | Manuel Juarez, Jr., Survival English/Spanish Instructor |
|    | DATES:       | October 2, 2004 through February 28, 2005               |
|    | RATE PER CL: | \$7.00  |
|    | MAXIMUM AMT: | \$350.00  |
|    | CONTRACT:    | <b>2004/2005-085</b>                                    |

**MULTI-PURPOSE CENTER**

**DEPARTMENT ID: 51510032, ACCOUNT 502214**

- |    |              |  |
|----|--------------|--|
| 2. | CONTRACTOR:  | Eugenia Gonzalez, Step Aerobics Instructor |
|    | DATES:       | October 01, 2004 through August 31, 2005   |
|    | RATE PER CL: | \$15.00                                    |
|    | MAXIMUM AMT: | \$780.00                                   |
|    | CONTRACT:    | <b>2004-2005-086</b>                       |

- 7U.** That the Mayor be authorized to execute the following **EMPLOYEE CONTRACTOR** contracts on behalf of the **PARKS AND RECREATION DEPARTMENT**. Funding for these contracts is in fiscal year **2004/2005** appropriations to be approved by the City Council.  
[Parks & Recreation, Norman Merrifield, (915) 541-4331]

**AQUATICS**

**DEPARTMENT ID: 51010281, ACCOUNT 501011**

1. CONTRACTOR: Amanda Posadas, Swim Instructor, Step 1  
 DATES: October 01, 2004 through September 30, 2005  
 RATE PER HR: \$5.35  
 CONTRACT NO: **2004/2005-151**
2. CONTRACTOR: Manuel Valenzuela III, Pool Attendant, Step 1  
 DATES: October 01, 2004 through September 30, 2005  
 RATE PER HR: \$5.40  
 CONTRACT NO: **2004/2005-152**
3. CONTRACTOR: Linda Y. Gray, Lifeguard, Step 3  
 DATES: October 01, 2004 through September 30, 2005  
 RATE PER HR: \$6.20  
 CONTRACT NO: **2004-2005-153**

**GALATZAN RECREATION CENTER**

**DEPARTMENT ID: 51510131, ACCOUNT 501011**

4. CONTRACTOR: Arcelia Delgado, Assistant Instructor Day Care, Step 1  
 DATES: October 04, 2004 through August 31, 2005  
 RATE PER HR: \$5.90  
 CONTRACT NO: **2004/2005-154**
5. CONTRACTOR: Irum Hussain, Assistant Instructor Day Care, Step 2  
 DATES: September 29, 2004 through August 31, 2005  
 RATE PER HR: \$6.15  
 CONTRACT NO: **2004-2005-155**
6. CONTRACTOR: Laura Rivas, Assistant Instructor Day Care, Step 1  
 DATES: October 04, 2004 through August 31, 2005  
 RATE PER HR: \$5.90  
 CONTRACT NO: **2004-2005-156**

- 7V.** That the Mayor be authorized to sign the "Park Partner" agreement with the following individual for maintenance and other services on City property as described in the agreement: [Parks & Recreation, Norman Merrifield, (915) 541-4331]

The Kern Place Association, Inc.

Madeline and Alethea Park

and that the Mayor be further authorized to sign additional documents and take additional action necessary to fulfill the purpose of this contract. **(District 1)**

- 7W.** That the Chief of Police be authorized to submit an on-line grant application from the El Paso Police Department and the Mayor be authorized to sign a Memorandum of Agreement and any related paperwork, including all understandings and assurances contained therein, and apply for, accept, reject, alter or terminate the grant, to the U.S. Department of Justice, Bureau of Justice Assistance, and to the Office for Victims of Crime as necessary for a Law Enforcement and Service Provider Multidisciplinary Anti-Trafficking Task Forces grant in the amount of \$150,000 annually (3 year grant period), a total of \$450,000, for the purpose of establishing a Human Trafficking Task Force to assist victims of Human Trafficking. Matching funds are required in the amount of \$50,000 annually (3 year grant period), a total of \$150,000.  
 [Police Department, Assistant Chief Paul Cross, (915) 564-7310]

8. Request that the street improvements in the following subdivision to be accepted for maintenance by the City. The improvements within the stated limits have been completed in accordance with the approved plans and specifications. **(District 1)**

Subdivision: Westside Addition  
Owner/Developer: Winton and Associates, Inc.  
Consultant: Brock and Bustillos, Inc.

Street Improvements:

Tyler Seth Avenue - from the east dedicated Right Of Way of Westside Road to the end of cul-de-sac

Valle Bello Avenue - from the south R.O.W. line of Tyler Seth Avenue to the east dedicated Right Of Way of Westside Road

Westside Road - from the south subdivision boundary line to the north subdivision boundary line

Drainage Improvements:

Surface Drainage On site ponding  
[Engineering Department, Bashar Abugalyon, (915) 541-4157]

9. Request for provisional appointment(s) in accordance with Article VI, Section 6.6-2, of the Civil Service Charter Provisions:

Arts & Culture Director (1)  
[Quality of Life Services, Deborah G. Hamlyn, (915) 541-4643]

10. Appointment of Joyce A. Wilson as City Manager, effective September 28, 2004.  
[Mayor Joe Wardy, (915) 541-4145]

11. Appointment of Betty Jaraba as Interim Arts & Culture Director (provisional), effective October 4, 2004. [Quality of Life Services, Deborah G. Hamlyn, (915) 541-4643]

**12. BOARD RE-APPOINTMENTS:**

**12A.** Douglas Chamlee to the Information Technology Advisory Board by Representative Robert A. Cushing, Jr., District 2.  
[Representative Robert A. Cushing, Jr., (915) 541-4996]

**12B.** Fernando Parra to the Information Technology Advisory Board by Representative Vivian Rojas, District 7. [Representative Vivian Rojas, (915) 541-4108]

**13. BOARD APPOINTMENTS:**

**13A.** Gwendolyn L. Pulido to the City-County Animal Shelter Advisory Committee by Representative Susan Austin, District 1. [Representative Susan Austin, (915) 541-4886]



- 13B. John Taylor to the Zoning Board of Adjustment by Representative Robert A. Cushing, Jr. (serving as alternate member), District 2.  
[Representative Robert A. Cushing, Jr., (915) 541-4996]
- 13C. Miguel Grijalva to the Community Development Steering Committee by Representative Rojas, District 7. [Representative Vivian Rojas, (915) 541-4108]
- 13D. Esteban Sansores to the Community Development Steering Committee by Representative Jose Alexandro Lozano, District 3.  
[Representative Jose Alexandro Lozano, (915) 541-4515]
- 13E. James A. Major to the Zoning Board of Adjustment by Representative Jose Alexandro Lozano, District 3. [Representative Jose Alexandro Lozano, (915) 541-4515]
- 14. Request that the following installment agreements for **AD VALOREM** taxes be approved in the amount shown and that the Mayor be authorized to sign the payment agreements on behalf of the City: [Tax Office, Juan Sandoval, (915) 541-4369]
  - 14A. PID #G547-000-0030-1600, \$284.97 per month installments on a balance of \$3,419.64 for 2001, 2002 & 2003 taxes; Javier and Candelaria Garcia – 12400 Cuatro Aces. **(District – County)**
  - 14B. PID #H453-999-1410-8500, \$413.06 per month installments on a balance of \$2,478.36 for 1996, 1997, 1999, 2000, 2001, 2002 & 2003 Taxes; Jesus Lujan – 2708 Idalia Ave. **(District 2)**
  - 14C. PID #M794-999-0290-4600, \$311.61 per month installments on a balance of \$4,674.15 for 1996 & 1997 taxes; Fernando A. & Socorro Luna – 3301 Monroe Ave. **(District 2)**
  - 14D. PID #T645-999-0060-1300, \$192.35 per month installments on a balance of \$2,308.20 for 2002 & 2003 taxes; Raquel & Marco A. Torres, Jr. 242 Limonite Cir. **(District 1)**
  - 14E. PID #V869-000-0020-2100, \$426.00 per month installments on a balance of \$5,112.00 for 1999, 2000, 2001 & 2002 taxes; Guadalupe A. Torres – 3837 John Henry St. **(District – County)**
  - 14F. PID #2000-000-0731-0022, \$395.72 per month installments on a balance of \$2,374.32 for 2002 & 2003 taxes; Plastics International, Inc. % Raymond & John Tamez. – 7741 Kiely. **(District – County)**
- 15. **APPLICATIONS FOR TAX REFUND:** [Tax Office, Juan Sandoval, (915) 541-4369]
  - 15A. Wells Fargo Real Estate Tax Service in the amount of \$4,441.49 overpayment of 2003 taxes. (PID #N425-999-0320-2200)
  - 15B. Wells Fargo Real Estate Tax Service in the amount of \$3,656.43 overpayment of 2003 taxes. (PID #S812-999-0240-0100)
  - 15C. Chase Manhattan Mortgage in the amount of \$7,438.72 overpayment of 2003 taxes. (PID #T230-999-0060-2500)
  - 15D. Homecomings Financial in the amount of \$4,158.23 overpayment of 2003 taxes. (PID #U819-999-006A-1920)

**16. DISCRETIONARY FUNDS:**

**16A.** The authorization to disburse \$1,500 from District VII Discretionary funds to the Mission Valley Regional Command Center for the Pride Day activities planned for November 6, 2004. [Representative Vivian Rojas, (915) 541-4108]

**16B.** Request authorization to allocate \$1,000.00 from District #8 discretionary funds to the Buena Vista Beautification Committee for community clean-up projects in District #8 and that such allocation be contingent upon the negotiation by the City Attorney's Office of an appropriate agreement to be signed by the Mayor to set forth the manner in which the Committee will use the funds.  
[Mayor Pro Tem Anthony W. Cobos, (915) 541-4123]

**17.** Request that the Director of Purchasing be authorized to exercise the City's Option "A" to purchase additional quantities pursuant to the terms of Contract No. 2004-194 for two 25-Yard Roll Off Trucks from Southwest Sterling Inc., El Paso Texas.

Department: Solid Waste Management  
Funds Available: 34340200-508029-40415-PMB0005003  
Funding Source: FY2004 Solid Waste Management Revenue Bonds  
Item: 25 Yard Roll Off Trucks (2 Each) @ \$103,062.00  
Award Amount: \$206,124.00

**District(s): All**

[Purchasing Department, Alfonso Guerrero, Jr., (915) 541-4654]

**18. BEST VALUE PROCUREMENT:**

This contract shall be awarded to the bidder who provides the best value to the City. The City may consider price and other relevant criteria listed in the request for bids.

Solicitation No.: 2004-247 Household Hazardous Waste Disposal Services  
(ReBid)

Award to: Rinchem Company, Inc.  
Chaparral, NM

Item (s): All (option included)  
Amount: \$200,000.00 (estimate yearly)

Department: Solid Waste Management  
Funds available: 34010296-40403-502204  
Funding source: Outside Contracts  
Total award: \$400,000.00 (estimated)

**District (s): All**

Solid Waste Management and Purchasing recommend awards as indicated as this vendor has provided the Best Value Bid Procurement meeting specifications.

This is a twenty-four (24) month contract with the option to extend the term of this contract for two (2) additional years. [Purchasing Department, Ray Heredia, (915) 541-4316]

**19. BIDS:**

If apparent low bidder is disqualified for any reason, City Council reserves the right to exercise any option legally available under the law by awarding bid to next lowest responsive and responsible bidder even though the bidder is not named on this agenda.

**19A.** Solicitation No.: 2004-219      Ground Maintenance-City Medians  
Award to:                                      H. Repair Solutions  
    El Paso, TX  
Item (s):                                        All  
Amount:                                        \$52,960.00 (estimated yearly)  
  
Department:                                  Street  
Funds available:                            32010200-01101-502221  
Funding source:                            Operating Funds,  
    Groundkeeping/Horticultural Contracts  
Total award:                                \$158,880.00 (estimated)  
**District (s):**                                **All**

Street Department and Purchasing recommends award as indicated as this vendor is the low responsive bidder.

This is a thirty-six (36) month contract with no option to extend the term of this contract. [Purchasing Department, Ray Heredia, (915) 541-4316]

**19B.** Solicitation No.: 2004-241      Bomb Response Vehicle  
Award to:                                      Philpott Motors, Ltd.  
    Nederland, Texas  
Item (s):                                        1- One (1) Each with Optional Items O1 and O2  
Amount:                                        \$97,618.00  
  
Department:                                  El Paso Police Department  
Funds available:                            22150024-508007-07164-G220405  
Funding source:                            Homeland Security Grant  
Total award:                                \$97,618.00  
**District (s):**                                **All**

The Fleet Services, Police, Purchasing Departments and the Fire Department Office of Emergency Management recommend award as indicated as this vendor has provided the low, responsive, responsible bid meeting specifications. A lower bid was received but is deemed non-responsive as detailed in the backup.

This is a fixed-price, single (one-time) purchase, to purchase one (1) Bomb Response Vehicle. There is also an option to purchase up to one hundred percent (100%) of the original contract quantities, at the same unit price, if the option is exercised within ninety (90) days from the date of award of the contract. No prompt payment discount is offered.  
[Purchasing Department, Monica Vera, (915) 541-4234]

**20. BUDGET TRANSFERS:** [Office of Management and Budget, David Almonte, (915) 541-4011]

**20A. BT2005-002 BUILDING AND PLANNING SERVICES**

Building and Planning Services proposes to appropriate \$487,814 to the Clint Landfill Phase I - Cells 3,4,5 and 6 to fund design and program management. Funding source is 2004 SWM Revenue bonds. **(District – Citywide)**

Increase	\$487,814	to	34340100/PSWM001240433/407020	OrglsueBdPro
Increase	\$457,814	to	34340100/PSWM001240433/508016	ContrctulArch
Increase	\$ 30,000	to	34340100/PSWM001240433/508051	Program Mgmt

**20B. BT2005-027 BUILDING AND PLANNING SERVICES**

Building and Planning Services proposes to appropriate \$22,000 for design of the GSA Storm Sewer Relocation through Santa Fe Street. Funding source is General Services Administration, Reimbursement.

Increase	\$22,000	to	31255013/PPWFL0304727707/508016	CntrctualArch
Increase	\$22,000	to	31255013/PPWFL0304727707/405067	ReimbExpend

**21. APPLICATIONS FOR USE OF CITY PARKS/STREETS & SIDEWALKS:**

Permission to use public streets, sidewalks or parks for special events does not constitute endorsement by the City of El Paso of the contents of any expression that takes place during these events.

**21A. UTEP Army ROTC to hold a 5K Run on October 16, 2004 from 7:30 a.m. to 8:30 a.m. Route:** Starting at Baltimore, turning right on Oregon, turning right on University, turning left on Hawthorne, turning right on Rim Road, turning right at Wiggins, turning left on Sun Bowl Drive and ending at Baltimore. Approximately 200 persons will participate with 50 spectators anticipated.

PERMIT#: 04-109 **(District 1)** [Captain Jesus Silerio]

**21B. Empowerment Resources, Inc. to hold a 8k run on October 9, 2004 from 8:30 a.m. to 9:30 a.m. Route:** Start at Marwood Park, turn right on River Bend to Sunset, turn left on Sunset to Vista del Monte, turn right on Vista del Monte to Meadowlark, turn right on Meadowlark to Linda, turn left on Linda to Vista del Monte, turn left on Vista del Monte to Sunset, turn left on Sunset to River Bend, turn right on River Bend, and finish at Marwood Park. Approximately 200 persons will take part and 75 spectators are anticipated. This request includes permission to use amplification (P.A system with 1 microphone).

PERMIT#: 04-111 **(Districts 1 and 8)** [Reta Cook]

- 21C.** Sun Bowl Association to hold the Las Palmas Del Sol Sun Bowl Parade on November 25, 2004 from 1:00 a.m. to 4:30 p.m. Route: Starting at the corner of Montana and Mesa, proceeding on Montana and ending at the North/South freeway service road. Approximately 3,000 persons, 150 vehicles and 40 animals will take part and 275,000 spectators are anticipated. This request includes permission to use amplification (several floats may have sound equipment capable of being heard to the curb of the route). PERMIT#: 04-110  
**(Districts 2 and 8)** [Bernie Olivas]
- 21D.** YMCA of Greater El Paso to hold its 28<sup>th</sup> Annual Turkey Trot on November 25, 2004 from 7:30 a.m. to 8:30 a.m. Route for walk: Start on Montana and Ochoa, proceed on Montana to Cotton, turn left on Cotton, and turn back around to Montana and Ochoa. Route for run: Start on Montana and Ochoa, proceed on Montana to Williams, turn left on Williams to Rio Grande, turn right on Rio Grande to Magnolia, turn back around and finish at Montana and Ochoa. Approximately 1,000 persons will take part and 200 spectators are anticipated. PERMIT#: 04-091 **(Districts 3 and 8)** [Bea Esparza & Bob Brower]
- 21E.** Parkland High School to hold a homecoming parade on October 7, 2004 from 6:00 p.m. to 7:00 p.m. Route: Start on Parkland High School rear parking lot on Bomarc to Nova, turn right on Nova to Ballistic, turn left on Ballistic to Regulus, turn left on Regulus to Minuteman, turn left on Minuteman to Nova, turn left on Nova to Bomarc, and finish at the school's rear parking lot. Approximately 150 persons, 35 vehicles will take part and 500 spectators are anticipated. PERMIT#: 04-112 **(District 4)** [Ramon S. Lozano]
- 21F.** Outrageous Fortune Theatre Co. to use amplification (2 wireless microphones, 1 speaker) at Union Plaza Park on September 30, 2004 from 7:00 p.m. to 10:00 p.m. Approximately 10 persons will take part with 200 spectators anticipated. PERMIT#: 04-115 **(District 8)** [Ken Forestal]

- 21G.** Outrageous Fortune Theatre Co. to use amplification (2 wireless microphones, 1 speaker) at Union Plaza Park on October 1 & 2, 2004 from 7:00 p.m. to 10:00 p.m. Approximately 10 persons will take part with 200 spectators anticipated. PERMIT#: 04-116 **(District 8)** [Ken Forestal]
- 21H.** Outrageous Fortune Theatre Co. to use amplification (2 wireless microphones, 1 speaker) at Union Plaza Park on October 7 & 8, 2004 from 7:00 p.m. to 10:00 p.m. Approximately 10 persons will take part with 200 spectators anticipated. PERMIT#: 04-117 **(District 8)** [Ken Forestal]
- 21I.** Outrageous Fortune Theatre Co. to use amplification (2 wireless microphones, 1 speaker) at Union Plaza Park on October 9 & 10, 2004 from 7:00 p.m. to 10:00 p.m. Approximately 10 persons will take part with 200 spectators anticipated. PERMIT#: 04-118 **(District 8)** [Ken Forestal]
- 21J.** Juvenile Diabetes Research Foundation to hold a 5K Walk on October 2, 2004 from 6:00 a.m. to 12:00 p.m. Route: Starting at Sunland Park Mall's parking lot and turning right on Mesa Hills Dr., turning right on Cabaret, turn right on Carousel, turn right on Rubin, turn right on Suncrest, turn left on Wallenberg, turn left on Mesa Hills Dr. and finish at Sunland Park Mall's parking lot. Approximately 400-700 persons and 2 vehicles will take part with no spectators anticipated. PERMIT#: 04-121 **(Districts 1 and 8)** [Noelle Krempasky-Lantka]

## **REGULAR AGENDA**

### **22. INTRODUCTION OF ORDINANCES PURSUANT TO SECTION 3.9 OF THE EL PASO CITY CHARTER:**

- 22A.** An ordinance granting a Special Privilege to Kern Place Merchants Association to temporarily close a portion of Cincinnati Avenue between Mesa Street and Stanton Street for a "HALLOWEEN," celebration on Saturday, October 30, 2004 and Sunday October 31, 2004. (Consideration: \$137.50, SP-04020) **(District 1)**  
[Building Permits & Inspections, Raymond Bonilla, (915) 541-4767]

**22B.** An Ordinance Amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules) Section 12.88.030 (Schedule III Parking Prohibited at All Times On Certain Streets.) To Add New Locations On Grama Street, Both Sides, From San Antonio Avenue To A Point 167 Feet North; On Grama Street, Both Sides, From San Antonio Avenue To A Point 60 Feet South; On San Antonio Avenue, North Side Only, From Grama Street To A Point 210 Feet East; On San Antonio Avenue, South side Only, From Grama Street To A Point 510 Feet East, And On San Antonio Avenue, South Side Only From Grama Street To a Point 73 Feet West. Penalty Being As Provided In Section 12.84.010 Of The El Paso Municipal Code. **(District 8)**

[Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]

**22C.** An Ordinance vacating a portion of Cedar Street right-of-way, El Paso, El Paso County, Texas and providing for exchange. **(District 8)**

[Planning, Research & Development, Rudy Valdez, 541-4635]

**22D.** An Ordinance vacating a portion of Sun Bowl Drive out of Hart Survey No. 2, City of El Paso, El Paso County, Texas. **(District 1)**

[Planning, Research & Development, Rudy Valdez, 541-4635]

**PUBLIC HEARING WILL BE HELD ON OCTOBER 12, 2004 FOR ITEMS 22A – 22D**

**22E.** An Ordinance changing the zoning of a portion of Tract 11B, Block 2, Ascarate Grant, El Paso, El Paso County, Texas from M-1 (Light Manufacturing) to C-4 (Commercial). The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: JACS Properties, Inc. ZON04-00104 **(District 3)**

[Planning, Research and Development, Fred Lopez, (915) 541-4925]

**PUBLIC HEARING WILL BE HELD ON OCTOBER 19, 2004 FOR ITEMS 22E**

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

**23. MAYOR AND COUNCIL:**

Discussion and action on directing staff to formulate a proposal for the enhancement of Stevens Street to include angle parking, sidewalk modifications, and unpaved right-of-way; in conjunction with the Concordia Heritage Association and surrounding businesses. [Mayor Pro-Tem Anthony W. Cobos, (915) 541-4123]

**24. CITY ATTORNEY:**

Discussion and action regarding City Code Sections 5.52.130 and 5.52.140. [City Attorney's Office, Marvin Foust, (915) 541-4550]

**25. COMPTROLLER:**

Discussion and action on a Resolution to approve the City's Investment Policy for fiscal year 2005. The investment policy is required to be reviewed annually and in accordance with the Texas Public Funds Investment Act. The City of El Paso's Investment policy, as amended, would be effective September 2004.

[Comptroller, Carmen Arrieta-Candelaria, (915) 541-4239]

**26. PLANNING, RESEARCH AND DEVELOPMENT:**

**26A.** Discussion and action on a Resolution that the City accepts the dedication of a Street Right-of-Way located within a portion of Tract 1A, Block 11, Upper Valley Surveys (the extension of Gomez Road to serve Valley Creek Park), City of El Paso, El Paso County, Texas, and being more fully described by metes and bounds in the attached Exhibit "A" from Frontera Vista L.P., a Texas Limited Partnership. **(District 1)** [Planning, Research & Development, Rudy Valdez, 541-4635]

**26B.** Discussion and action authorizing the Engineering Department to submit an Easement Vacation application for property located within portion of Lot 2 Municipal Center Subdivision; and that the Planning, Research and Development Department be authorized to accept and process such application. **(District 7)** [Planning, Research & Development, Rudy Valdez, 541-4635]

**26C.** Discussion and action on a Resolution authorizing the Mayor to sign an instrument quitclaiming all of the City's right title and interest in the property vacated by Ordinance No. 1856 that vacated a part of Savage Street bounded by Kansas Street, Coffin Avenue, and Lot 11 in Block F-28 of the Alexander Addition and that the City of El Paso acknowledges that a portion of Lots 11 and 12, Fractional Block 28, Alexander Addition is and has been used by the City of El Paso as a public sidewalk and that the City hereby accepts a quitclaim deed for such subject property. **(District 1)** [Planning, Research & Development, Rudy Valdez, 541-4635]

**26D.** Discussion and action on a resolution replacing the resolution approved by City Council on August 31, 2004, which created an ad hoc committee charged with investigating, defining, and assessing impact of geologically occurring contours on and around the Franklin Mountains that could serve as water conveyance and/or runoff channels and recommending an appropriate ordinance regarding same. Such replacement resolution shall add two members from Recognized Neighborhood Associations, amend quorum requirements from three to four, clarify and confirm that the committee is charged with reviewing ordinances and statutes applicable to other southwestern cities, and reset the time allowed for completion of the assigned task to 90 days from the date of enactment. [Planning, Research and Development, Fred Lopez, (915) 541-4925]



**27. PURCHASING:**

- 27A.** Discussion and action on a Resolution that City Council hereby requires that all budget transfers requiring Council approval that are over \$500,000.00 and all contracts, bids, request for proposals or request for qualifications awards that are over \$500,000.00, be placed on the regular agenda of the City Council Meeting Agenda. [Purchasing, Byron E. Johnson, (915) 541-4313]
- 27B.** Discussion and action on a Resolution that the Director of Purchasing is authorized to notify Rojero's Company, that the City is terminating Contract No. 2002-094 pursuant to the provisions and requirements of Section C, 8A of the Contract Clauses due to convenience and that the termination shall be effective as of September 30<sup>th</sup> 2004. [Purchasing Department, Byron Johnson, (915) 541-4308]

**28. PUBLIC HEARINGS – BUILDING PERMITS AND INSPECTIONS:**

- 28A.** Public hearing to determine if the property located at 378 S. Santa Fe Street AKA 115 W. Paisano Drive, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated September 26<sup>th</sup>, 2003. The owner of this property, Anid, Inc., 2120 Myrtle Avenue, El Paso, Texas 79901, has been notified of the violations at this property. Delinquent taxes in the amount of \$0. **(District 8)**  
[Building Permits & Inspections, Tom Maguire, (915) 541-4588]
- 28B.** Public hearing to determine if the property located at 6127-6135 N. Mesa Street, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated February 2004. The owner of this property, Karl M. Friedman, 5647 A Cory Drive, El Paso, Texas 79932, has been notified of the violations at this property. Delinquent taxes in the amount of \$0. **(District 8)**  
[Building Permits & Inspections, Tom Maguire, (915) 541-4588]
- 28C.** Public hearing to determine if the property located at 1406-1418 Myrtle Avenue, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated June 8<sup>th</sup>, 2004. The owners of this property, Jose A. Gutierrez, Pedro Taboada, and Joseph P. Murray, 2300 N. Campbell Street, El Paso, Texas 79902, have been notified of the violations at this property. Delinquent taxes in the amount of \$0. **(District 8)**  
[Building Permits & Inspections, Tom Maguire, (915) 541-4588]
- 28D.** An ordinance amending Title 18 (Building and Construction) of the El Paso Municipal Code, by deleting Chapter 18.52 (Unsafe Structures and Conditions) and creating Chapter 18.50 (Property Maintenance Code), and adopting the 2003 edition of the International Property Maintenance Code to provide minimum requirements and standards for the use, occupancy and maintenance of existing structures and premises. The penalty being as provided in Section 18.02.107 of the code. [Building Permits and Inspections, R. Alan Shubert, (915) 541-4557]

**28E.** An ordinance amending Title 2 (Administration and Personnel), by adding a new Chapter 2.38 (Building and Standards Commission), pursuant to Texas Local Government Code Section 54.033 to hear and determine cases concerning violations of Chapter 18.50 without further appeal to City Council. The penalty being as provided in Section 2.38.110 of the code.

[Building Permits and Inspections, R. Alan Shubert, (915) 541-4557]

**28F.** An Ordinance amending Title 18, (Building and Construction), Chapter 18.16 (Electrical Code) of the El Paso City Code to adopt the 2002 edition of the National Electrical Code with changes appropriate for the City of El Paso. The penalty being as provided in Section 18.02.107 of the El Paso City Code.

[Building Permits and Inspections, R. Alan Shubert, (915) 541-4557]

**28G.** An ordinance granting a special privilege to Barbara Enttinger permitting the encroachment of a canopy along a portion of public right-of-way at 300 South El Paso Street #D. **(District 8)**

[Building Permits & Inspections, Raymond Bonilla, (915) 541-4767]

**29. PUBLIC HEARINGS – ENGINEERING DEPARTMENT, TRAFFIC DIVISION:**

**29A.** An Ordinance Amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.030 (Schedule III - Parking Prohibited At All Times On Certain Streets) To Add New Locations on The South Side of Alto Rey Drive from Resler Drive to a Point 100 Feet East, on the North Side of Alto Rey Drive from Resler Drive to a Point 125 feet East, and on Alto Rey Drive From Resler Drive to a Point 115 Feet West, both sides. The Penalty Being as Provided in Section 12.84.010 of the El Paso Municipal Code. **(District 1)**

[Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]

**29B.** An Ordinance Amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), section 12.88.150 (Schedule XIV, Speed Limits), of the El Paso Municipal Code, to Add a Subsection Identifying the Speed Limit as Forty Miles Per Hour on Henry Brennan Drive From Zaragoza Road (FM 659) to Gateway Boulevard West. The Penalty is Provided in Section 12.84.010 of The El Paso Municipal Code. **(District 6)**

[Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]

**29C.** An Ordinance Amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), section 12.88.150 (Schedule XIV, Speed Limits), of the El Paso Municipal Code, to Add a Subsection Identifying the Speed Limit as Fifty Miles Per Hour on Global Reach Drive. The Penalty is as Provided in Section 12.84.010 Of the El Paso Municipal Code. **(District 2)**

[Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]

**30. PUBLIC HEARINGS – PLANNING, RESEARCH AND DEVELOPMENT:**

- 30A.** Discussion and action on a Resolution approving Detailed Site Development Plan No. ZON04-00070, for Tract 23 B, Block 29, Ysleta Grant and Tract 8H, Block 33, Ysleta Grant, El Paso, El Paso County, Texas (131 South Yarbrough Dr.) pursuant to zoning conditions as imposed by Ordinance No. 014916. The Penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Ricardo Olague. **(District 7)**  
[Planning, Research and Development, Jorge Rousselin, (915) 541-4723]
- 30B.** An Ordinance changing the zoning of Tract 4B, Block 29, Ysleta Grant, El Paso, El Paso County, Texas (220 Lafayette Drive) and all of Lot 3, Block 1, White Oaks Subdivision from R-F (Ranch/Farm) TO R-3 (Residential). The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Jose Chavez. ZON04-00080. **(District 7)**  
[Planning, Research and Development, Jorge Rousselin, (915) 541-4723]
- 30C.** An Ordinance changing the zoning of a portion of Lot 3 and all of Lot 4, Block 3, Canutillo Industrial Park, El Paso, El Paso County, Texas from R-3 (Residential) to C-3 (Commercial) and imposing certain conditions. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Chanate Partners, Ltd. ZON04-00055 **(District 1)**  
[Planning, Research and Development, Fred Lopez, (915) 541-4925]
- 30D.** An Ordinance granting Special Permit No. ZON04-00100, to allow for a planned residential development on Tract 1E and a portion of Tract 1H, Block 79, Township 2, Texas and Pacific Railroad Company Surveys, El Paso, El Paso County, Texas pursuant to Section 20.14.040 (Zoning) of the El Paso Municipal Code. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: JNC Development Inc. **(District 5)**  
[Planning, Research and Development, Fred Lopez, (915) 541-4925]
- 30E.** An Ordinance changing the zoning of Parcel 1: A portion of Tracts 11A and 12 and all of Tract 11B, Section 36, Block 80, Township 2, Texas and Pacific Railroad Company Surveys, El Paso, El Paso County, Texas from R-F (Ranch and Farm) and C-3/sc (Commercial/special contract) to C-4 (Commercial) and C-4/sc (Commercial/special contract) and imposing certain conditions; Parcel 2: A portion of Tracts 11A and 12, Section 36, Block 80, Township 2, Texas and Pacific Railroad Company Surveys, El Paso, El Paso County, Texas from R-F (Ranch and Farm) and C-1/sc (Commercial/special contract) to C-3 (Commercial) and C-3/sc (Commercial/special contract); and Parcel 3: A portion of Tract 11A, Section 36, Block 80, Township 2, Texas and Pacific Railroad Company Surveys, El Paso, El Paso County, Texas from R-F (Ranch and Farm) to C-1 (Commercial). The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Abdolkarim Saadatkah. ZON04-00063 **(District 5)** [Planning, Research and Development, Fred Lopez, (915) 541-4925]

- 30F.** An Ordinance changing the zoning of Tract 1E and a portion of Tract 1H, Block 79, Township 2, Texas and Pacific Railroad Company Surveys, El Paso, El Paso County, Texas from A-2/c (Apartment/conditions) and C-4/c (Commercial/conditions) to R-5/c (Residential/conditions). The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: JNC Development Inc. ZON04-00101 **(District 5)**  
[Planning, Research and Development, Fred Lopez, (915) 541-4925]
- 30G.** Ordinance granting Special Permit No. ZON04-00069, to allow for a governmental use on A Portion of Lot 83, Block 12, Tierra Del Este Unit One, El Paso, El Paso County, Texas (12600 Pebble Hills Boulevard) pursuant to Section 20.14.040. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: City of El Paso. **(District 5)**  
[Planning, Research and Development, Jorge Rousselin, (915) 541-4723]
- 30H.** An Ordinance granting Special Permit No. ZON04-00091 to allow for a parking reduction on the property described as South Portion of Lots 14 to 16, Block 41, East El Paso, El Paso, El Paso County, Texas (3624 Gateway East, Suite B), Pursuant to Section 20.64.175, and The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Luis M. Alvarado. **(District 8)**  
[Planning, Research and Development, Jorge Rousselin, (915) 541-4723]
- 30I.** An ordinance changing the zoning of A portion of Lot 1, Block 112, Vista Del Sol Unit 16, El Paso, El Paso County, Texas (11129 Pelicano Drive) from P-I (Planned Industrial) to C-4 (Commercial). The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Grys Group, LLC. ZON04-00099 **(District 7)**  
[Planning, Research and Development, Jorge Rousselin, (915) 541-4723]
- 31.** The City Council of the City of El Paso will retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss and take action on any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act.)

Section 551.071 CONSULTATION WITH ATTORNEY

Section 551.072 DELIBERATION REGARDING REAL PROPERTY

Section 551.073 DELIBERATION REGARDING PROSPECTIVE GIFTS

Section 551.074 PERSONNEL MATTERS

Section 551.076 DELIBERATION REGARDING SECURITY DEVICES

Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

Discussion and action on the following:

- 31A.** J.G.W. Foods Chapter 7, Case No. 03-32427 (551.071)  
(551.071) [City Attorney's Office, Michele Little Locke, (915) 541-4550]

- 31B.** James K. Terrell vs. City of El Paso, et. al., Cause No. EP-03-CA-0364-KC (551.071) [City Attorney's Office, Michele Little Locke, (915) 541-4550]
- 31C.** Jacob Telles vs. City of El Paso, et. al., Cause No. EP-03-CA-0528-KC (551.071) [City Attorney's Office, Michele Little Locke, (915) 541-4550]
- 31D.** Nancy Hollebeke v. City of El Paso, et. al., Cause No. EP-04-CA-0185-HLH (551.071) [City Attorney's Office, Michele Little Locke, (915) 541-4550]
- 31E.** Maria Ramirez v. City of El Paso, Cause No. EP-04-CA-0245-KC (551.071) [City Attorney's Office, Michele Little Locke, (915) 541-4550]
- 31F.** Truett L. Maddox, et al vs. The City of El Paso, et al, Cause No. 92-14046 (551.071) [City Attorney's Office, Michele Little Locke, (915) 541-4550]
- 31G.** Armando Chacon vs. The City of El Paso, et al, Cause No. 2001-4755 (551.071) [City Attorney's Office, Michele Little Locke, (915) 541-4550]
- 31H.** Asarco v. TCEQ; In the 261st District Court, Travis County, Texas; Cause No. GN401709 (551.071). [City Attorney's Office, Michele Little Locke, (915) 541-4550]

Sign Language interpreters are provided for regular City Council meetings. Copies of this Agenda will be provided in Braille, large print or audio tape upon requests made a minimum of 48 hours prior to the meeting.

Hearing Assistance Devices are available upon request.

**ALL CITY COUNCIL AGENDAS ARE PLACED ON THE INTERNET EVERY FRIDAY AT THE ADDRESS BELOW:**

<http://www.elpasotexas.gov>